IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 13383 of 2005

Between:

1 D. Rangaswamy S/o Pedda Obulesu
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
2 A. Ramakrishna S/o Ch. Obanna
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
3 V. Easwar Reddy S/o Kota Reddy
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
4 Ambanna S/o janagala China Easwaraiah
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
5 Y. Divakar Reddy S/o Raghavendra Reddy
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
6 Y. Subba Rami Reddy (died) by his LR. Y. Sumitramma
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
7 Bangaru Ramaiah S/o Atchanna
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
8 S. Vengamma (died by her LR S. Ramasubba REddy
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
9 K. Thirupalu S/o Bhusanna
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
10 A. Shanker Goud, S/o. Seshanna,
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
11 Ediga Pedda Subbaiah (Died) by his LR. Ediga laxmi Narasaiah
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
12 Ediga Pedda Subbaiah (Died) by his L.R. Ediga Laxmi Narasaiah
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
13 Y. Nagabhusan Reddy S/o Raghavendra Reddy
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
14 G. Eswraiah S/o Vaddappa
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District

15 M. Pulla Reddy (Died) by his L.R. M. Venkatubbamma
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
16 G. Pulla Reddy S/o Subba Reddy
R/o Bhanukacherla Village, Pamulapadu Mandal, Kurnool District
17 M. Pedda Moddin Shab (died) by his LR. M MOhammed
R/o Vempenta Village, Pamulpadu Mandal, Kurnool District
18 N.V. Ramana Reddy S/o Bal Reddy
R/o Vempenta Village, Pamulpadu Mandal, Kurnool District
19 A. Subbanna S/o Pedda Naganna
R/o Vempenta Village, Pamulpadu Mandal, Kurnool District
20 B. Samuel (died) by his L.R. B. Yesaiah
R/o Vempenta Village, Pamulpadu Mandal, Kurnool District
21 N. Bal Reddy (died) by his L.R.. N. Ambamma
R/o Vempenta Village, Pamulpadu Mandal, Kurnool District
22 D. Sugali Nadipi Somanna S/o Laxmanna
R/o Vempenta Village, Pamulpadu Mandal, Kurnool District
23 V. Satyamma W/o Avulaiah
R/o Atmakur Village & Mandal, Kurnool District
24 Soma Krishnaiah S/o Nagi Setty
R/o Atmakur Village & Mandal, Kurnool District
25 M. Pullaiah S/o Swamy Setty
R/o Bhanumukkala Village Pamulapadu Mandal, Kurnool District
26 Ediga Seshanna S/o Obanna
R/o Bhanumukkala Village Pamulapadu Mandal, Kurnool District
27 V. Hanumanthu S/o Hanumanna
R/o Bhanumukkala Village Pamulapadu Mandal, Kurnool District
28 R. Ramakrishnaiah S/o Subbaiah
R/o Bhanumukkala Village Pamulapadu Mandal, Kurnool District
29 V. Rajanna S/o Shesanna
R/o Bhanumukkala Village Pamulapadu Mandal, Kurnool District
30 Ediga Chinna Subbaiah (died) by his L.R. Ediga Laxmi Devi
R/o Bhanumukkala Village Pamulapadu Mandal, Kurnool District
31 S. Subbanna S/o Peddanna
R/o Bhanumukkala Village Pamulapadu Mandal, Kurnool District

..... PETITIONER(S)

AND

1 The Special Deputy Collector (Land Acquisition), SRBC, Nandyal, Kurnool District.
2 The Income Tax Officer, Circle-I, Nandyal, Kurnool District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus" directing the respondents herein not to deduct any amount from the compensation amounts payable to the petitioners under the Civil Court Decrees, towards Income Tax and to pay the said amount to the petitioners, forthwith; and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.C.PRAKASH REDDY

Counsel for the Respondent No.1: GP FOR LAND ACQUISITION

Counsel for the Respondent No.2: Sri S.R. Ashok, S.C. for Income tax

The Court made the following :

ORAL ORDER: (per the Hon'ble Sri Bilal Nazki, ACJ)

It is submitted by learned counsel for both the parties that this matter is covered by the judgment of this Court in Writ Petition No. 3934 of 1989, dated 13.12.2005.

The authorities concerned are, therefore, directed to follow the said judgment. The writ petition is accordingly disposed of. No costs.

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BILAL NAZKI, ACJ

DATE: 23rd June, 2005

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K.C. BHANU,J

Pnb

To

1 The Special Deputy Collector (Land Acquisition),
S.R.B.C.,
Nandyal, Kurnool District.

2 The Income Tax Officer, Circle Nandyal Kurnool District.

3 Two C.Cs. to the Govt. Pleader for Land Acquisition, High Court Buildings, Hyderabad. (OUT)

4 Two C.D. copies